IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA)	
	Plaintiff,) 8:07CR451)	
	vs.)) DETENTION ORDER	
EL	EAZAR PEREZ-DOMINGUEZ,		
	Defendant.	}	
A.	Order For Detention After waiving a detention hearing pursuar Act on December 20, 2007 (Filing No. defendant detained pursuant to 18 U.S.C	nt to 18 U.S.C. § 3142(f) of the Bail Reform 16), the Court orders the above-named . § 3142(e) and (i).	
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 		
C.	contained in the Pretrial Services Report, X (1) Nature and circumstances of to the crime: a conspiral distribute methamphetal carries a minimum se maximum of forty years distribute methamphetal § 841(a)(1) each carrimprisonment. (b) The offense is a crime of the contained of	the offense charged: cy to distribute and possess with intent to amine (Count I) in violation of 21 U.S.C. § 846 Intence of five years imprisonment and a imprisonment; the possession with intent to amine (Counts III, IV and V) in violation of 21 rry a maximum sentence of twenty years of violence.	
	may affect when The defendant X The defendant ties. Past conduct of The defendant The defen	appears to have a mental condition which ether the defendant will appear. has no family ties in the area. can have no steady employment. has no substantial financial resources. is not a long time resident of the community. It does not have any significant community of the defendant: has a history relating to drug abuse. has a history relating to alcohol abuse. has a significant prior criminal record. It has a prior record of failure to appear at	

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(b) At the time of the current arrest, the defendant was on: Probation		
Parole Release pending trial, sentence, appeal or consentence.	npletion of	
(c) Other Factors:		
X The defendant is an illegal alien and is s deportation.	subject to	
The defendant is a legal alien and will be s	subject to	
_X The Bureau of Immigration and Custom Enf (BICE) has placed a detainer with the U.S. Mars Other:		
X (4) The nature and seriousness of the danger posed by the de		
release are as follows: The nature of the charges in the Indictment.		
X (5) Rebuttable Presumptions		
In determining that the defendant should be detained, the Court also relied		
on the following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e)		
which the Court finds the defendant has not rebutted:	naconahly	
 X (a) That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety 		
of any other person and the community because the Cour		
the crime involves:		
(1) A crime of violence; or		
(2) An offense for which the maximum pena	alty is life	
imprisonment or death; or		
X (3) A controlled substance violation which has a	a maximum	
penalty of 10 years or more; or (4) A felony after the defendant had been convi	icted of two	
or more prior offenses described in (1) the		
above, <u>and</u> the defendant has a prior convicti		
of the crimes mentioned in (1) through (3) ab		
is less than five years old and which was	committed	
while the defendant was on pretrial release.		
X (b) That no condition or combination of conditions will reasonable		
assure the appearance of the defendant as required and the safet		
of the community because the Court finds that there is probable		
cause to believe:	ام مال مسخم	
X (1) That the defendant has committed a c		
substance violation which has a maximum 10 years or more.	penalty of	
(2) That the defendant has committed an offens	se under 18	
U.S.C. § 924(c) (uses or carries a firearm du		
relation to any crime of violence, including		
violence, which provides for an enhanced po	unishment	
if committed by the use of a deadly or of	dangerous	
weapon or device).		

D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:
 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from

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- persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: December 20, 2007. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge